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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

Written statement submitted by Médecins sans Frontières, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[10 April 1996]

INTERNALLY DISPLACED PERSONS

1. The number of internally displaced persons around the world continues to increase dramatically. Many have fled areas of conflict because their most fundamental human rights have been put at risk. Internally displaced persons tend to be among the most vulnerable groups within their societies, regularly deprived of vital services such as medical assistance.

2. Displaced persons often fail to get adequate protection and assistance from their own Governments, sometimes because these Governments are unable to do so, but more often because they are unwilling to protect the rights and meet the basic needs of the displaced.

3. Médicins sans Frontières (MSF) offers medical humanitarian assistance to displaced persons all over the world. On a regular basis, MSF is being denied or given only limited access to the internally displaced. Governments argue in such cases that, by offering humanitarian assistance, MSF interferes in the internal affairs of the State. As a result, many innocent victims have died or suffered unnecessarily, whereas basic medical care could have alleviated their suffering or saved their lives.

4. In Burundi, since 1993 several waves of violence have caused internal displacement among the population. The first wave in October 1993 caused some 250,000 people, mainly Tutsis, to flee their communities. They settled in camps in the northern part of the country, where they gathered near army compounds. Periodically, displacement recurred in 1994 and 1995.

5. Both the displaced and the so-called "dispersed" persons have had to abandon their houses, have left most of their possessions behind and have their fields unattended, which makes them heavily reliant on external aid. However, because of insecurity, food production or convoys were interrupted. MSF/Action internationale contre la faim (AICF) surveys show that both groups have an alarming nutritional status. Similarly, limited access to health centres has caused a dramatic fall in the vaccination coverage of children under 5. In Cibitoke and Bubanza provinces, insecurity has created difficulties in providing the health centres with human and material resources. Attempts by humanitarian agencies to re-establish health centres and to provide food and water were met with army and militia resistance.

6. So far all major international humanitarian initiatives for the internally displaced persons have been taken by the non-governmental organization (NGO) community in Burundi. The United Nations humanitarian mechanisms that have been established to coordinate the efforts to protect and to assist those displaced have been hampered by political unwillingness and by weak representation and have therefore not proven to be effective.

7. Minimal government assistance has been given to the displaced persons. The national relief strategy, which was discussed during a recent government workshop, failed to include the needs of dispersed persons. However, humanitarian assistance should not depend on ethnicity or on the type of displacement. Therefore, the Government should re-examine the problem of internally displaced persons in Burundi and address the needs of both groups.

8. In the absence of the political will to create an institution mandated to provide protection and assistance to internally displaced, the Commission on Human Rights has an important role to play. Human rights violations are among the main reasons for people to flee their homes. Therefore, the Commission should denounce the human rights violations that cause displacement and take effective action in order to ensure that, once people are being displaced, their human rights are respected. Furthermore the Commission should support the important work of the Representative of the Secretary-General for internally displaced persons with all the necessary resources and political backing that are needed.

9. MSF welcomes the important compilation and analysis of legal norms of the Representative, currently before the Commission, and supports its conclusions.

The existing law fails to give adequate protection to displaced persons. In particular, MSF supports the Special Representative's conclusion that a legal instrument is needed that explicitly guarantees that impartial humanitarian organizations have access to internally displaced persons.

10. MSF urges the United Nations organizations entrusted with the coordination of the assistance needs of internally displaced to play their coordinating role more forcefully and effectively.

11. MSF urges Governments to invite the Representative to visit their countries. He should be allowed unimpeded access to the displaced populations to assess their situation, in order to initiate a dialogue with a view to providing better insight into the situation of the displaced. This should contribute to an improved situation for the displaced persons, where their human rights would be better protected and their humanitarian needs would be met.